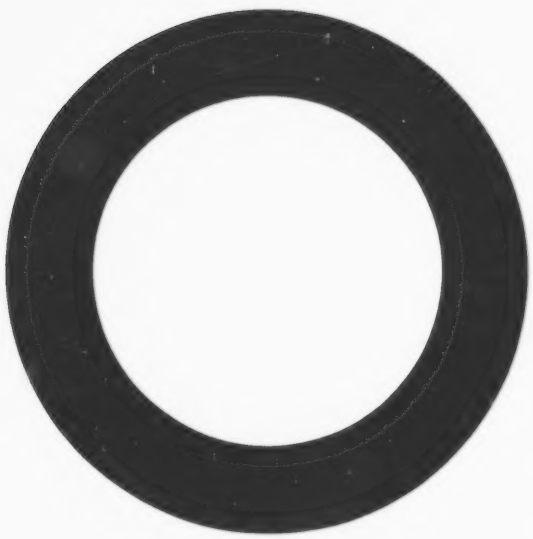

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.711
6 June 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-seventh session

SUMMARY RECORD OF THE 711th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 31 May 2001, at 10 a.m.

Chairperson: Mr. DOEK

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Côte d'Ivoire

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Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.01-42524 (E) 060601

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Côte d'Ivoire (CRC/C/8/Add.41; CRC/C/Q/COT/1; written replies of the Government of Côte d'Ivoire to the questions in the list of issues (document without a symbol distributed in the meeting room in English and French))

1. At the invitation of the Chairperson, the members of the delegation of Côte d'Ivoire took places at the Committee table.

2. Ms. LAGOU (Côte d'Ivoire) said that her country's report had been produced by State bodies, non-governmental organizations (NGOs), national experts, children's representatives and the media, as well as religious and community leaders, and technical assistance had also been received from the United Nations Children's Fund (UNICEF). Côte d'Ivoire had experienced unprecedented socio-political unrest in recent years, which had had a devastating effect on its economic and financial stability. The Gross Domestic Product had fallen by 3 per cent in 2000 and over a third of the population lived under the poverty line. The cost of servicing foreign debt had risen steeply from $1.2 billion in 1997 to $2 billion in 1998. Recent events had meant that it had not yet been possible to implement the Government's plans to combat poverty. Although her country did not yet benefit from the Highly Indebted Poor Countries Initiative (HIPC), designed to reduce the burden of foreign debt, her Government had been negotiating with major donors such as the International Monetary Fund (IMF), the World Bank and the European Union with a view to seeking foreign assistance.

3. In the context of poverty and unrest, infant and child mortality rates had risen in the previous five years, with acute respiratory infections and malaria representing the main threats to life in the under-five age group. Between one in four and one in five children of that age suffered from growth or weight deficiencies. The population had poor access to health care, and the low levels of literacy and schooling, particularly among women, also contributed to the ill health of young children. The Government's major concerns were the high child mortality rate, the large number of children infected by HIV/AIDS and the increasing number of child victims of sexual or economic exploitation.

4. Over the previous decade, considerable progress had been made in Côte d'Ivoire to strengthen the legal framework for the protection of children. In particular, the new Constitution of August 2000 gave children special protection under article 6, reiterated the ban on the use of the death penalty and certain harmful traditional practices (arts. 2 and 3) and guaranteed the right to asylum for refugees (art. 12). Côte d'Ivoire had ratified most international human rights instruments, and had signed a bilateral agreement with Mali in September 2000 to combat the trafficking of children between the two countries. Draft laws were under consideration to ratify the International Labour Organization Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) the African Charter on the Rights and Welfare of the Child. A UNICEF report had indicated that most domestic legislation was consistent with the Convention, but that it was poorly implemented and largely unknown to the population as a whole. Her Government was therefore pursuing efforts to disseminate information about legislation on the rights of the child.

5. Efforts were under way to correct the serious deficiencies in the health care infrastructure in particular with a view to tackling regional disparities. Specific health care objectives for mothers and children were reflected in vaccination, anti-malaria, nutritional, anti-AIDS and school health programmes. The emphasis on enlarging the scope of vaccination programmes had led to a 50 per cent reduction in the proportion of non-vaccinated children between the years 1994 and 1999. Breastfeeding was on the increase, and sanitation and drinking water had reached almost 82 per cent of the population in 2000, compared to 63 per cent in 1990.

6. A national plan of action to develop primary education had led to positive results by 2000. The enrolment rate in schools had risen by 10 per cent in the previous decade, and the literacy rate had risen by 7 per cent. Nevertheless, women remained largely illiterate.

7. According to data from 1998, over 14 per cent of children between the ages of 6 and 14 were in paid employment, and the national child protection policy had been designed to combat economic exploitation. The Employment Code established regulations for children's working hours and conditions, and prohibited night or dangerous work. Penalties were applicable for failure to respect those rules. In practice, however, many children continued to work due to the poverty of their families and deficiencies in the education and social welfare systems. Child trafficking was a growing phenomenon in Côte d'Ivoire. Young girls were transported from rural communities to the cities for domestic work, and children were brought into the country from neighbouring States. A number of steps had been taken to curb those trends, including the adoption of specific laws, her country's participation at a regional conference on the development of effective strategies to combat trafficking in children for commercial exploitation and the signing of a bilateral agreement with Mali.

8. A government ministry had been created to deal with AIDS-related issues, and a national programme had been followed since 1987 to combat the disease. Nevertheless, activities to assist AIDS orphans were still limited in scope, and the Government had established a think-tank to develop more effective strategies to cope with the problem. Various private and public bodies were involved in a scheme to combat the rising phenomenon of street children. Centres had been established to provide care and to assist in reintegrating children into society.

9. There were a number of obstacles to the effective implementation of the Convention. Among the most important were the deterioration in the exchange rate, the slump in sales of essential products, the burden of servicing foreign debt, the continued existence of traditional practices that were damaging to the health and welfare of the child, the poverty of households, the limited participation of women and children in decision-making, rapid urbanization and demographic growth. The Government was concentrating its efforts on improving health care for mothers and children, as well as social welfare provision for the population as a whole, providing compulsory schooling free of charge to children under 16 years of age, and affording better protection to children in situations of particular difficulty, such as the victims of HIV/AIDS, trafficking and prostitution.

10. The CHAIRPERSON said that the Committee was aware of the difficult circumstances hindering effective implementation of the Convention in Côte d'Ivoire. He welcomed the frank account of the country's major problems provided in the report and oral introduction. It was very encouraging to note that the Convention took precedence over national law, and that steps

had been taken to harmonize domestic legislation with the Convention, for instance with regard to the abolition of the death penalty However, according to the report by UNICEF in 1999, the majority of people were still unaware of the existence of such legislation, and that was particularly important given the strength of customary law. Resistance to national law was especially strong in relation to child labour, female genital mutilation and discrimination against girls and disabled children. He asked whether any specific measures had been considered or taken to ensure effective implementation of the law.

11. He noted with satisfaction that a Ministry for the Family, Women and Children had been established to coordinate activities relating to implementation of the Convention, and asked precisely what coordinating activities had been planned. He asked whether children could file complaints to the newly-established National Human Rights Commission, and how easy it was for them to do so. For instance, had a free telephone number been set up to receive complaints?

12. Ms. OUEDRAOGO asked how the Government intended to raise awareness of national laws that reflected the provisions of the Convention. She would be interested to learn which problems were preventing implementation of the law. More efforts appeared to be needed to bring about a change in attitudes. The delegation should provide further details of the national plan of action for the survival, protection and development of children, as well as an account of whether similar problems of implementation had been encountered.

13. She welcomed the numerous activities being planned to disseminate the Convention, which would include an assessment of efforts to date, to be carried out in conjunction with UNICEF and asked when that review would take place. While plans had been made to teach the principles of the Convention in schools, would professionals and traditional and religious leaders receive similar training?

14. She asked for more details concerning the project to establish a national monitoring body which would enhance the effective implementation of the rights of the child. More information should also be provided on the bilateral agreement with Mali. In particular, article 5 provided for cooperation between national authorities to identify traffickers and the children involved, but were there also provisions to ensure that once children had been identified and repatriated, they would not be caught up again in other trafficking networks? How did the Government intend to punish traffickers to deter them from reoffending?

15. Ms. SARDENBERG commended Côte d'Ivoire for its high-level, multisectoral delegation, which demonstrated the State party's commitment to a holistic approach to the implementation of the Convention. She wondered, first of all, what factors had delayed the formulation of the report, and why the State party had not yet ratified the African Charter on the Rights and Welfare of the Child. She was impressed by the innovative laws that had been formulated to complement existing legislation, and would welcome further information on the bilateral agreement between Côte d'Ivoire and Mali to fight cross-border child trafficking.

16. The written replies presented an interesting analysis of the social taboos related to children, but also discussed the erosion of positive traditional social values. Further clarifications would be welcome, in particular with regard to any social and cultural practices that hindered the implementation of the Convention. In addition, it would be useful to know

how the Ministry responsible for the implementation of the Convention coordinated its work with that of other bodies, in particular the recently-established department within the Ministry of Justice. Finally, she wondered whether the plan of action that had concluded in 2000 had resulted from the World Summit for Children; whether the Government had envisaged renewing that plan and what preparations were being made for the United Nations General Assembly special session on children, to be held in September 2001.

17. Ms. AL-THANI, observing that efforts to publicize the Convention in Côte d'Ivoire had been sporadic and unfocused, inquired whether the Government had taken any steps to establish a more regular and structured dissemination method. She would like to know whether there was a difference in the marriage age for boys and girls, and if so, why; what were the legal ages for compulsory education and whether the Government envisaged raising the minimum age for criminal responsibility.

18. Ms. CHUTIKUL said she wondered why the implementation of the Convention was encountering resistance, since, according to paragraph 57 of the report, children were highly valued in Ivorian society. Paragraph 71 listed child-related domestic laws, and went on to state that although some such laws were applied, others were not because the population was unaware of them. In that regard, she would like to know what measures the Government had taken to inform law enforcement personnel and legal professionals of their existence.

19. More information would be welcome on the bilateral cooperation agreement between Côte d'Ivoire and Mali on cross-border child trafficking. By what process had the agreement been formulated? It would be helpful to know whether it treated the full scope of the problem, from prevention to social reintegration.

20. Mr. CITARELLA noted that the Committee was aware of the economic, social and political circumstances that hampered the full and integrated implementation of the Convention in Côte d'Ivoire. The State party had nonetheless made great efforts to bring its laws and customs into conformity with the provisions of that instrument. He had been pleased to learn that the problem of AIDS was being handled by the office of the Prime Minister, and inquired what measures had been taken and what had been their impact. He noted, however, that no laws were on the books regarding either paedophilia or the traffic in children, and inquired what had prevented Côte d'Ivoire from ratifying the African Charter on the Rights and Welfare of the Child.

21. He observed that the Civil Code set the age of majority at 21, that the Criminal Code set the age of full criminal responsibility at 18, and that the minimum age of criminal responsibility was 10, and pointed out that the State party should harmonize those provisions and bring them into conformity with the Convention.

22. Finally, the report made no mention of the age for school enrolment or the minimum working age.

23. Ms. TIGERSTEDT-TÄHTELÄ commended the Government for establishing clear areas of priority for children's rights. The report stated that 40 per cent of the annual budget was allocated to education. The United Nations Development Programme (UNDP) Human Development Report 2000 indicated that in the late 1990s, budgetary allocations for education had stood at 5 per cent. What was the reason for the discrepancy between those figures? She would also like to know what portion of the budget went to health and social welfare services. If she understood correctly, the social security system had been expanded, but did not cover the total population. It was unclear, however, whether Côte d'Ivoire had a social welfare system that provided benefits and assistance to families.

24. In addition, she would like to know whether Côte d'Ivoire had benefited from the Heavily Indebted Poor Countries Debt Initiative, a programme which required an increased budgetary allocation to the social sector, and whether it had increased its expenditures accordingly. She commended the State party for conducting a survey of household expenditures. The growth rate had been -3 per cent in 2001, a disturbingly low figure: what was the estimated growth rate for 2001? It would also be useful to know whether the impact of the low growth rate on the implementation of child-related legislation had been assessed.

25. She would like to know whether the Government had evaluated the cost of the various reforms it envisaged, in the areas of health, social security, education, the traffic in children, prostitution and AIDS, and how it planned to budget such measures on a long-term basis. A general description of the budget would be useful, in order to compare expenditures in the various sectors. Finally, she was pleased to note that the State party was normalizing its relations with donors.

26. Mr. AL-SHEDDI requested more information on plans to establish a national monitoring body to oversee the implementation of the Convention, in particular with regard to its mandate and tasks.

27. Ms. KARP observed that Côte d'Ivoire was one of the few countries to have introduced the notion of children's rights into the national constitution. The Ivorian Constitution, however, referred to protection and provision of care, but not to the important matter of participation. The Convention posited that children were entitled to rights and must be participants in matters affecting them. It also envisaged the child as a human being with human rights. In that regard, she would like to know what real recourse existed for children when their rights were violated, and how the remedy provided under the National Human Rights Commission, mentioned in the written replies, worked in practice. The State party should provide examples of cases in which the Convention, or related provisions in the Constitution, had been invoked before the courts, and describe their outcome and impact. It would be useful to know whether, and to what extent, the new constitutional principles affected the daily life of children.

28. She inquired what measures, if any, the State party was taking to coordinate the work of NGOs in the areas of protection and provision of care, and whether it had envisaged working with NGOs on the question of child participation. In general, Côte d'Ivoire should consider developing an integrated, holistic approach to the implementation of the Convention, taking into consideration the contribution of NGOs.

29. Noting that the Convention had not yet been incorporated into school curricula, she inquired whether the Government had contemplated requesting technical assistance from the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the purpose of enhancing the treatment of human rights and children's rights in educational programmes.

30. Finally, she inquired whether Côte d'Ivoire had a minimum age of consent to sexual relations, and if not, how it protected children from sexual abuse.

31. Ms. OUEDRAOGO, noting the reference in the written replies to the recent establishment by decree of the National Human Rights Commission, asked to what extent children's rights were taken into consideration by that body. Was the Commission able to receive complaints concerning violations of children's rights? Were there plans to establish an office of the children's ombudsman?

32. She asked how the communication plan referred to in paragraph 59 of the report was implemented. Did the Government intend to draw up a children's code that would reflect the principles set out in the Convention and would bring together all laws relating to the child? The plans to make education compulsory until the age of 16 appeared to be at variance with the minimum age of employment, which was still 14.

33. The emancipation procedure referred to in the report apparently conflicted with the Convention, as it deprived the child of some measure of protection. A national law imposed severe penalties on persons who facilitated the use of drugs by minors or the use of children for drug trafficking. To what extent was that law enforced, and what kinds of sanctions were applied to children who were involved in drug abuse or drug trafficking?

The meeting was suspended at 11.30 a.m. and resumed at 11.50 a.m.

34. Ms. LAGOU (Côte d'Ivoire) said that since the military coup d'état of December 1999, the country had undergone a difficult period of political and social upheaval, which had included loss of life and property following the presidential elections of October 2000. The new civilian Government had made efforts to re-establish civilian rule at the municipal and regional levels, establish new institutions, restore relations with donors and ensure the effective protection of the rights of all citizens, including children. The Government was conscious of the need to demonstrate to the international community that Côte d'Ivoire was a State based on the rule of law.

35. In 1998 UNICEF had drawn the attention of the Government to the problem of trafficking in foreign children, who were being brought to Côte d'Ivoire for agricultural work and were subjected to ill-treatment. It was quickly ascertained that the majority of the children came from Mali, and the Governments of the two countries had therefore concluded an agreement to take measures to halt the trafficking. For its part, Côte d'Ivoire was to tighten its border controls, identify Malian children already engaged in work and hand them over to the Malian authorities, who would place them in a special reception centre and return them to their families.

36. More recently, the problem of trafficking in child workers appeared to be spreading. In the past two weeks, the Government had intercepted groups of children who had been smuggled into the country from Burkina Faso and Guinea and had arrested the smugglers.

37. The Government was undertaking awareness campaigns and offering legal assistance in an attempt to overcome popular resistance to implementation of the Convention and to make the people aware of its importance. It would like to translate the Convention and related enactments into local languages so as to work with tribal and religious leaders and increase the effectiveness of such campaigns. Resistance concerning certain entrenched social practices such as excision was particularly difficult to overcome, and would require a long-term effort emphasizing the right to physical integrity. However, there had recently been some encouraging signs, and she was confident that under the new civilian Government the country would be able to implement the Convention.

38. Mr. BEKE DASSYS (Côte d'Ivoire) said that Côte d'Ivoire had indeed ratified a large number of human rights instruments; equally important was the fact that the new head of State had taken many concrete steps to promote human rights. In just six months, the Government had set up a Directorate for Human Rights and Public Freedoms within the Ministry of Justice, had established an inter-ministerial commission for the drafting of reports on human rights and had responded to a request from the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions by inviting her to visit the country. The Government was cooperating with a United Nations fact-finding commission looking into the events of October 2000, and had recently decided to ratify the two main international labour conventions addressing the problem of child labour.

39. Ms. BAROAN LIKAGNENE (Côte d'Ivoire) said that the Government had already submitted a bill to Parliament for the ratification of the African Charter on the Rights and Welfare of the Child, which meant that the country would soon have ratified all the major international instruments relating to children's rights. The age for political eligibility had been lowered to 18 years by the Constitution adopted in 2000, and the domestic legislation would soon be amended to set the age of civil and criminal majority at 18 as well. The Government was obliged to amend certain aspects of its domestic legislation to bring it into conformity with the Convention, which took precedence over domestic law. In so doing it would harmonize the ages of criminal responsibility.

40. Under the new Constitution, the role of the Constitutional Council had been extended, and NGOs were now able to bring cases of violations of human rights directly before that body. The Labour Code, which set the minimum working age at 14 years, dated back to 1964, and would be amended to increase the limit to 16 years when the age of compulsory schooling was raised. Emancipation related to persons who had been married as minors, and was aimed at permitting them to carry out certain legal acts on an equal footing with adults. An emancipated child was not, however, entitled to carry out all the acts of an adult, and still required a guardian for certain matters. Decisions concerning the scope of an emancipated child's freedoms were made on the basis of the best interests of the child.

41. Complaints of violations of children's rights could be filed with the National Human Rights Commission, and NGOs were entitled to submit cases to the Constitutional Council. While children were considered to have full entitlement to their human rights, until they reached the age of majority they were not considered under Ivorian law to be able to accomplish all acts or make all decisions, and therefore required the support of their parents or guardians.

42. In Ivorian legislation, the task of raising awareness was not unique to the Convention. Although there were plans to translate the Convention into local languages, the Government did not have the resources required to do so. On the other hand, it trained journalists who worked in local languages to spread knowledge of the rights of the child through the media, and information was also disseminated through legal clinics.

43. Mr. KOUAKOU KOFFI (Côte d'Ivoire) said that one of the distinguishing characteristics of the new Constitution was the emphasis it placed on the protection of vulnerable groups such as children, women, the elderly and the disabled. While the Constitution had long been part of the school curriculum devoted to civil and moral education, the Government was aware that it had to do more. Lawyers and other professionals were therefore invited to provide legal aid free of charge for children. The Convention was reflected in court judgements in cases where it was invoked.

44. Studies had shown that the public viewed existing legislation as alien norms that had been imposed on Ivorian society. To persuade people that the law was home-grown, dissemination campaigns had focused on the rights and duties of children within the family and society.

45. Under the 1975 educational reform, education had been made compulsory for children between the ages of 6 and 16, a measure that had met with resistance because of the failure of parents to understand the purpose of schooling. The provision concerning compulsory education had therefore been dropped from Act No. 95-696 of 1995, which had been adopted following consultations with the general public. However, the Government gave high priority to the goal of raising the school-leaving age to 16.

46. A number of bills designed to bring domestic legislation into conformity with the Convention were currently before Parliament. They addressed issues such as paedophilia, child trafficking and the protection of child AIDS victims. Emphasis was placed in that context on traditional social values such as solidarity and mutual assistance.

47. Ms. CISSE SAVANE DROUHO (Côte d'Ivoire) said that workshops had been held in late 2000 to assess the impact of the national plan of action adopted in 1992 for the survival, protection and development of Ivorian children. It was noted in the resulting report that some indicators such as infant mortality rates had actually deteriorated. The main constraints identified were the poor quality of social services, the debt burden, poverty and illiteracy. Most programmes were implemented vertically rather than horizontally, with little community participation and inadequate coordination. As a result, the goals set had not been attained. A new action plan based on a clear order of priorities would be prepared in the light of the results of the United Nations General Assembly special session on children.

48. Ms. BAROAN LIKAGNENE (Côte d'Ivoire) said that the age of consent for sexual relationships and the statutory age of marriage was the age of majority, which would shortly be lowered from 21 to 18. The discriminatory provision that a girl could marry at the age of 18 with parental consent and a boy only at the age of 20 would thus no longer apply in the future.

49. Mr. KOUAKOU KOFFI (Côte d'Ivoire) said that the minimum age for access to alcohol, cigarettes and drugs was the age of majority but it had proved difficult to apply the law in practice because of the influence of certain multinational corporations.

50. The involvement of NGOs in children's issues took various forms, including public awareness campaigns, especially to promote school enrolment for girls. NGO action had initially been somewhat uncoordinated, but the establishment of an NGO forum had led to greater synergy. The Government strongly supported the NGOs, which had close contacts with local communities, and relied on them, in particular, for dissemination of information about the Convention.

51. Mr. SALAI-BOUAH KOFFI KONAN (Côte d'Ivoire) stressed the difficulty of drawing up a budget in a developing country with a heavy debt burden and in which two commodities with widely fluctuating prices - coffee and cocoa - accounted for 45 per cent of export income. The State budget had increased slowly but steadily over the period from 1992 to 1999. The funds allocated to education accounted for about 20 per cent of the budget. The figure of 40 per cent mentioned earlier referred to social expenditure, which included spending on health, subsidies to vulnerable persons and the funding of organizations engaged in social welfare activities. However, more than 60 per cent of the social budget was allocated to education and about 45 per cent of the education budget was allocated to primary education.

52. The CHAIRPERSON, commending the fact that the Government had set priorities for the future, asked whether it had also made provision in the budget for their funding.

53. He wished to know whether the authorities had investigated the reasons for the disappointing results of the birth registration campaign supported by UNICEF in 1998 and whether any further campaigns were being considered.

54. He inquired about the impact of the 1999 campaign against female genital mutilation. Were the authorities satisfied with the outcome?

55. Mention was made in paragraph 117 of the possibility of establishing police brigades for minors. He asked whether the brigades were operational and, if so, whether they had been introduced in both urban and rural areas. The same paragraph of the report referred to a maximum period of detention in police custody of 48 hours for minors and to the need for lawyers to be present at the preliminary investigation. It was unclear whether those principles were already applied in practice. If they were, how was the system organized and funded?

56. He asked whether the principle of Ivoirité ("Ivorianness") interfered with or restricted the right to nationality.

57. Ms. Al-THANI noted that the Government had issued a decree in 1998 protecting children with disabilities. It appeared, however, that such children were still discriminated against for cultural reasons. There had even been reports of infanticide. She asked whether the decree covered such areas as the right to education, employment and a decent standard of living.

58. She understood that a major student organization - the Féderation estudiantine de la Côte d'Ivoire (FESCI) - was under a three-year ban. Were there any plans to lift the ban in the near future? It had been alleged that student members of FESCI and other groups who were in trouble with the law had in some cases been subjected to torture or ill-treatment. What action was being taken to prevent such practices?

59. Ms. OUEDRAOGO welcomed the agreement between the Governments of Côte d'Ivoire and Mali to combat trafficking in children. She hoped that similar agreements would be concluded with other countries and carried into effect.

60. She asked how the Government proposed to tackle the problems of coordination and grass-roots involvement in implementing the plan of action.

61. She suggested that the procedure for registration of births should be reviewed. Any delay in registration, for example, involved the parents in a complex and costly process that served as a disincentive.

62. According to paragraph 108 of the report, the national commission for the supervision of youth publications planned under Act No. 91-1033 of 31 December 1991 had never been established. She urged the authorities to remedy the omission. According to paragraph 109, children's access to sound information was made difficult by the lack of specialized publications, the lack of control over audio-visual productions and the proliferation of video clubs. She would add to that list the unregulated importation of videocassettes targeted at young people. The Government should take regulatory action in that area.

63. She wished to hear more about the Children's Parliament mentioned in paragraph 111, for example the extent to which it represented the different regions and children in employment or otherwise uncovered by the education system, the degree of autonomy it enjoyed, how it operated and how it was funded. What steps were taken to ensure that the adults who supervised the Parliament did not exert undue pressure on the children and how were the parliamentarians' concerns and decisions taken into account?

64. Ms. CHUTIKUL inquired about the relationship between the Government and the mass media, particularly with respect to the protection of children against press abuse. She wondered whether the idea of supervising youth publications implied placing restrictions on their freedom of expression.

65. The high repetition rate in education was a waste of resources. How did the authorities plan to deal with the problem? She also noted that over 60 per cent of the education budget went towards payment of salaries, while only 6 per cent was allocated to operational activities.

66. Ms. KARP asked for details of the cases in which the Convention had been invoked in legal proceedings. In particular, she wished to know how the Convention had been reflected in the judgements handed down.

67. She noted some ambivalence on the part of the authorities towards the rights-based approach to children. It seemed that adults were systematically involved as assistants where children wished to file complaints. Were the adults in question trained to represent the children's views and what happened where there was a conflict between a child's perception of his or her best interests and that of the child's representative or parents?

68. Corporal punishment was prohibited by law only when it constituted abuse or injured the child. She asked whether corporal punishment was acceptable in schools, day-care centres and other institutions, and whether the authorities would consider mounting a campaign or introducing legislation to outlaw such punishment entirely.

69. She wished to know whether persons under the age of majority who had sexual relationships were in practice subject to prosecution. If they were, it raised questions about society's ability to protect children against genuine abuse.

The meeting rose at 1.10 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.712
31 May 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-seventh session

SUMMARY RECORD OF THE 712th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 31 May 2001, at 3 p.m.

Chairperson: Mr. DOEK

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Côte d'Ivoire (continued)

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Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.01-42604 (EXT)

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Côte d'Ivoire (continued) (CRC/C/8/Add.41; CRC/C/Q/COT/1 (list of issues), written replies of the Government of Côte d'Ivoire (document without a symbol distributed in the meeting room in French only))

1. At the invitation of the Chairperson, the members of the delegation of Côte d'Ivoire took places at the Committee table.

2. Ms. LAGOU (Côte d'Ivoire) said that citizenship was a legal concept and that every country in the world had a nationality law governing the granting of that nationality according to well-established rules. *Ivoirité* ("Ivorianness") was a cultural concept not covered by any regulations but encompassing the values common to all those living in Ivorian territory.

3. Activities undertaken to disseminate and follow up the implementation of the Convention were by no means of a sporadic nature. Quite the contrary, they were part of an overall strategy which was implemented not only to inculcate respect for the Convention but also to give effect to Ivorian legislation on children. In order to raise public awareness, measures were taken to disseminate the Convention in the vernacular languages, using the services of "chroniclers" established in the various communities.

4. The right of all - young people or adults - to form associations was recognized and there were large numbers of student associations. One, the Federation des etudiants de Côte d'Ivoire (FECI), had come to particular public notice recently during demonstrations by its members. The Government had attempted to calm the protests, which concerned the organization's functioning, by offering mediation services. Classes had then resumed. There were no current reports of any claim of torture against members of the FECI.

5. Lastly, she pointed out that Côte d'Ivoire had been the originator of the cooperation agreement with Mali, a mid-term assessment of which would take place in July 2001. A decision had also been taken to set up a drafting committee to prepare the agreement to be signed with Burkina Faso. Her Government had therefore not expected to hear recommendations that it demonstrate initiative, since, in every case, it had been the driving force behind the previous ones.

6. Ms. BAROAN (Côte d'Ivoire) said that the Government had, after assessing the first activities launched to disseminate and implement the Convention, understood that only a broad and sustained effort to harmonize all regulatory and legislative texts could make it possible to achieve the objectives that had been set. To support the process of dissemination and awareness raising, the Government had put in place a number of mechanisms, including the "chroniclers" in vernacular languages, and it drew support from the activities of the entire network of non-governmental organizations (NGOs).

7. With regard to "ivoirité" and citizenship, it should be noted that a person needed only one Ivorian parent to have the right to Ivorian nationality. However, the concept of "ivoirité" was

interpreted by some as limiting the concept of citizenship, in view of the eligibility criteria, among other factors. In fact, the only restrictions with regard to nationality concerned eligibility for the post of president of the Republic, since that was the only case in which it was required that both a candidate's parents should be of Ivorian nationality. For those seeking election to parliament, however, it was enough to have one Ivorian parent.

8. Still on the subject of nationality, the first group of measures to improve the birth registration system had not had the desired effect, because not enough attention had been paid to the real causes of the problem, which included not only the time limit imposed for declaring a birth (subsequently extended from two weeks to three months) but also, in particular, parent's lack of information and the insufficient number of registration offices. It had been found that parents thought that they had to pay for the procedure, whereas in fact the declaration itself was free, while the birth certificate was subject to a tax payment. As for registration offices, the public did not always have access to State offices, which existed only in the large urban centres, and, although travelling judges were authorized to issue birth certificates, their tours took place on an irregular basis. The Government was aware of the problems and was currently finalizing the details of a plan of action to ensure that all children were registered, to ensure that their rights as Ivorian citizens were clearly established. It was considering, among other provisions, ways of reducing the amount of documentation to be provided by the parents, who, if they themselves lacked a birth certificate, had to establish their own identity by going through a lengthy court procedure.

9. As for the concept of the representation of children, there was a range of situations in which minors had to be represented by their legal guardians (father, mother or a substitute figure). That was not to say that the law did not recognize children's rights. In practice, minority was equivalent to immaturity and the age of the person concerned was taken into consideration. Thus, a child's consent to a labour contract was required at the age of 16. From the age of 15 the child was required to state whether or not he or she wished to be adopted. In all cases, the interests of the child were taken into account, the aim of representation of the minor being not to leave the child defenceless. Where sexual offences were concerned, the law acted to protect the child victim and ensure that the guilty party was punished. If the minor was the aggressor, he or she could not be prosecuted in the criminal courts. Minors were, however, subject to civil prosecution, but in that case their parents had to represent them.

10. As far as the media were concerned, negotiations were in progress to set up a national commission to monitor and control publications aimed at the young. Those who offended against legislation to protect children against abuse by the press and other media would be punished. As a general rule, the government considered that children's interests should be protected by all parties and required magazines aimed at the youth market to play an educational role.

11. With regard to the bill to establish free and compulsory schooling, the Government sought to conclude agreements with new partners, in addition to those already agreed with the United Nations Economic, Social and Cultural Organization (UNESCO), as it was determined, despite its lack of resources, to provide all the budgetary funding needed for its massive reform programme, which would otherwise be doomed to failure.

12. With regard to legal assistance for children and whether they could bring a legal action, a distinction had to be drawn between civil and criminal cases. In a criminal case, a child of any age could apply direct to a prosecutor, who would lodge the action on his or her behalf. A child claiming civil compensation had to be supported by a third party, that applied to any civil action, since the child did not have legal capacity. The child could choose a representative, having taken advice from his guardians to ensure that expenses were covered. A child involved in such a case was fully entitled to legal assistance and the judge was obliged to appoint a defence lawyer. In Abidjan, preference was always given to a barrister specializing in cases involving children or to another lawyer who was at least as well qualified. In cases of disagreement with the lawyer, the age of the child was taken into consideration, in that, in the case of children 16 and over, the child's opinion was paramount, whereas for children below that age the decision was taken by the judge in accordance with the child's best interests.

13. Mr. KOUAKOU (Côte d'Ivoire) said that work on a code specially relating to children had begun in May 1999 and a committee of experts had been appointed. Owing to the pressure of events, however, no progress had been made on a field study undertaken to ensure that the code would take people's real needs into account. The Government was nonetheless determined to complete the information-gathering required to introduce the code.

14. Article 3 of the Constitution prohibited physical or moral torture. In that context, it was worth noting that, for the first time, a military court had dismissed a statement obtained under torture. Campaigns were conducted to raise awareness of that issue and impunity did not exist. The Government was determined that members of the police or the gendarmerie who were guilty of misdemeanours should be prosecuted and punished.

15. A children's squad comprising police officers and social workers had been established. Its work was supported by NGOs. Although its resources were limited, the squad was successfully preventing and cracking down on crime. The 48-hour time-limit for police custody, was subject to a full range of legal guarantees, including the prohibition of arbitrary treatment under the Constitution. The Government attached great importance to that principle.

16. The Constitution provided for special protection for disabled people and general policy legislation had been drawn up in 1998, one aim being to facilitate access by disabled people to education, employment and some specialized services. The relevant implementing decrees should be adopted during the course of 2001.

17. With regard to the implementation of the Convention by the courts, several judicial decisions had already been handed down, one of which related to article 19, concerning ill-treatment. A 14-year-old boy who had been subjected to serious physical abuse by his father had laid charges direct to the gendarmerie, raising the question whether he should receive legal aid and whether a prosecution should be undertaken. The prosecutor had authorized continuation of the proceedings and the boy had received legal aid. The father had been given a suspended sentence.

18. Mr. KOFFI (Côte d'Ivoire) said that the Government had decided on the following priorities: improved health management for women and children, better social security for the whole population, including health insurance, free compulsory education up to the age of 16 and

better protection for children from employment, trafficking and prostitution. To make them credible, those priorities were backed up by plans of action, which either already existed or were in hand. For health management the Government had announced that it would contribute up to 15 per cent of the social security expenditure devoted to combating the HIV/AIDS pandemic. Measures to make schooling free and compulsory would be phased in gradually, since it would be foolish to try to accomplish the whole process within a year. A detailed commitment had been made, however, with the initial focus on primary education. The programmes set up to fund the process were making appeals to donors, including the African Development Bank, bilateral donors and the World Bank. Funds had already been received to build more educational infrastructures. The State-funded portion of the education budget would cover running expenses, as well as providing for a small degree of investment, the proportion of which had been increasing annually since 1999. Among other measures to provide for the gradual introduction of free education, it had been decided that uniforms would no longer be compulsory as from the beginning of the school year in September 2001.

19. Ms. CISSE (Côte d'Ivoire) said that a monitoring committee had been set up to settle any coordination problems arising in the implementation of measures to benefit children. A programme was also to be prepared to involve women and children in assessing the implementation of economic and social development projects relating to them.

20. As far as disabled children were concerned, an implementing decree relating to the 1998 law had been prepared by several ministries in cooperation with associations of disabled people. The legislation covered a range of provisions, including health, education, employment, leisure, the family and access to public places. In the employment field, a programme to promote the recruitment of disabled people in the civil service had been in place since 1998. In 2000, 45 disabled people had been hired in the public service. Employers, too, were required to observe quotas under the programme, failing which they were fined. The income from the fines was used to finance job creation for disabled people.

21. Ms. COULIBALY (Côte d'Ivoire) said that the Children's Parliament had been set up in 1992 and revived on 30 April 2001. Every region of the country and every social class was represented. The Parliament worked together with the Association des jeunes travailleurs de Côte d'Ivoire. It did not have its own budget, but its activities were supported by the Government and the United Nations Children's Fund (UNICEF). It called on adults only for technical support and developed its own plans of action. Its advice was sought on programmes relating to children, such as the care of AIDS orphans or cooperation with UNICEF. The Government hoped to strengthen its role and intended to follow the progress of the sessions of its General Assembly regularly. In 2000, a study had been conducted to assess its impact, the results of which would be used on its future course.

22. Ms. LAGOU (Côte d'Ivoire) said that an Ivorian delegation had recently taken part in a conference in Egypt on African children, in which a representative of the Children's Parliament had participated.

23. The CHAIRPERSON invited the Committee members to consider special protection measures.

24. On the question of refugees, specifically the 100,000 or so Liberian refugees still living in camps along the border, he asked about the implementation of measures to bring about the family reunification of such people, their return to their country of origin and the integration of the children who remained in Côte d'Ivoire. An agreement had been signed between the State party and the Office of the United Nations High Commissioner for Refugees. He asked what its provisions were and whether it was actually being put into effect.

25. Street children had numbered 175,000 in 1995. According to reports, that figure had increased. Was that due to inefficiency on the part of the NGOs working with street children. Was the Interministerial Committee established to help such children operational? What activities did it undertake?

26. He also asked whether the Government knew the number of children who worked. How effective was the regional agreement reached with the International Labour Organization (ILO)? Had the Government drawn up a specific plan for cooperation with the International Programme on the Elimination of Child Labour (IPEC) and ILO?

27. With regard to health, he asked whether the objectives of the expanded vaccination programme - to increase vaccine cover to 80 per cent, to reduce the number of cases of measles and to eradicate poliomyelitis - had been attained. Although the agreement by the leading pharmaceutical companies to lower the cost of treating people infected by HIV or AIDS represented significant progress, not all those requiring it would be able to receive adequate care, particularly in remote areas, as long as the infrastructure was lacking.

28. According to the written replies, there were 31,400 disabled children in Côte d'Ivoire, yet the number of children taken in by institutions or orphanages amounted to 800. What were the living arrangements of the other 30,600?

29. Ms. TIGERSTEDT-TAHTELA welcomed the Ivorian delegation's detailed replies and the State party's commitment to implementing the Convention. She would, however, be grateful for fuller information on the process of national reconciliation. What results had been achieved? Did the process take into consideration the interests and rights of children, given that, for example, some schools had had to be closed in the north of the country? The matter was, in any case, of supreme importance for the future of the country and of children in particular. She therefore encouraged the State party to maintain its policy in that regard.

30. Ms. AL-THANI, noting that the number of street children remained very high despite the range of measures that the Government had taken to resolve the problem, requested more information on the arrangements for such children with regard to health, education and food.

31. The effectiveness of the juvenile justice system seemed to be undermined by a shortage of staff and financial resources. In addition, children were often held together with adults for prolonged periods. She requested further information.

32. Ms. OUEDRAOGO, noting that the report mentioned the existence of obstacles to the collection of maintenance, asked what measures would be taken to rectify the situation. She also

thought that prosecuting a parent who did not pay maintenance for neglect had negative repercussions for the children.

33. Forced marriages of young people, although forbidden by law, were nonetheless common. Would measures be taken to put an end to the practice and to ensure that births were registered?

34. Given that only wage-earners could draw family allowances, what arrangements existed to help families without an income gain access to such services as health care, education and food aid?

35. The report contained no information on international adoption. Did such cases exist? If so, was there any follow-up? And did the State party envisage ratifying the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption? As for children placed in the care of third parties, in accordance with a common practice in Africa which constituted a kind of illegal adoption, she wondered whether the social services intervened when they were informed of violations of such children's rights.

36. Excision was not mentioned in the report, although it was still a widespread practice in the State party. What results had been achieved by the activities of the National Committee against Excision? Were the practitioners of excision who gave up their activities helped to retrain?

37. The Ivorian delegation had stated that the breastfeeding rate had risen from 3 per cent to 11 per cent, which constituted substantial progress. She wondered whether the International Code of Marketing of Breastmilk Substitutes was observed and whether national nutrition programmes promoted breastfeeding.

38. She also wished to know how severe punishments were for young drug addicts and drug traffickers.

39. On the question of medicine, she wished to know what results had been obtained from the programme to promote traditional medicine and what measures were taken to eliminate the illicit sale of medicines.

40. As for adolescent health, she wondered whether policies on the prevention of AIDS, sexually transmitted disease and early pregnancy were implemented. Could young mothers continue their schooling after giving birth? What measures were taken to ensure the mental health of adolescents?

41. Ms. KARP said she welcomed the signing of the bilateral agreement on trafficking in children but wished to emphasize the need to train further border-control personnel and to set up programmes for the rehabilitation of the children concerned.

42. With regard to child labour, she asked whether there were any legal provisions to curb the sexual violence to which girls who worked as domestic servants were subjected and whether

any studies had been done on the subject. She also asked whether there existed labour inspectors who checked the implementation of the legislation.

43. With regard to minors in conflict with the law, she asked about the treatment of young offenders in regions remote from the capital, given that there were only five children's judges in the entire country. Did local judges apply specific provisions of juvenile law or were the children tried as adults? Were efforts made to avoid any difference in treatment between one region and another?

44. As for early, forced marriages, what had been done to implement the existing legislation? Had any prosecutions been brought? Were the police trained to take the problem seriously and not to treat it as a phenomenon that was tolerable on cultural grounds?

45. On the question of abuse in schools and institutions, she asked whether it was possible to prosecute teachers who violated the Convention in that regard. Were there awareness-raising programmes to teach parents to discipline their children using methods other than corporal punishment and to encourage them to establish a dialogue with their children?

46. Lastly, she requested further information on the weight given to children's testimony before the courts. Was there an age limit for taking such testimony into consideration? What attitude did judges take to statements by a child, not only in cases of abuse but also at the more general level?

47. Mr. CITARELLA asked whether, in view of Côte d'Ivoire's budgetary difficulties, the Government had started to provide free primary education, which was not a feature of the 1995 Education Law.

48. Noting that the decree governing penal establishments and laying down the conditions for the enforcement of penalties dated from 1969, he asked whether the text had been revised to bring it into conformity with the provisions of the Convention, particularly with regard to the conditions of children held in detention. According to reliable sources, adults and children in Abidjan prison were held in the same wing. He wondered whether the Government intended to take measures to rectify the situation. He was also concerned by the shortage of children's judges, who, according to the information provided by the Government, numbered only five for the whole country. He requested the delegation to provide further information on that point.

49. Ms. CHUTIKUL asked how much importance the Ivorian Government attached to child development and, more specifically, wished to know whether it helped finance pre-school establishments and nurseries or whether it devoted all its resources to compulsory primary education.

50. Mr. AL-SHEDDI, observing that Côte d'Ivoire contained over 60 ethnic groups and thus as many different languages and cultural identities, asked whether some minorities, such as Muslims, were not subjected to discrimination by other ethnic groups. In that context, it seemed that some groups were disadvantaged in relation to others as far as citizenship and access to services were concerned. He would appreciate the delegation providing further information on

that topic. Could it also confirm or deny the information that thousands of children under 14 worked in Côte d'Ivoire?

51. The CHAIRPERSON, referring to table 1 (b) attached to the written replies concerning the funding of the national educational system, asked why the budgetary allocation to education had, since 1997, been consistently higher than the actual expenditure on education.

52. He would also appreciate the delegation explaining the substantial fluctuations in the enrolment rate of girls in primary schools: 60 per cent in the 1995-1996 school year, rising to 82 per cent the following year and then falling to 62 per cent the year after that. He wondered what factors could explain such differences in school attendance rates. He also asked why the number of boarding schools was higher in the private sector, where there were 37, than in the public sector (12). He requested a breakdown of the data on children attending each type of school. He further wished to know how far the Government took account of article 29 of the Convention and of General Comment No. 1 (2001) on the aims of education in its national education policy. Did school curricula include instruction on human rights, including the rights of the child, and did such instruction take place in both State schools and the private Koranic schools?

53. Ms. OUEDRAOGO asked why the Koranic school was under the responsibility of the Ministry of the Interior and National Integration. She wondered whether the Government intended to raise it to the category of a denominational school and place it under the Ministry of National Education and Basic Training. She was also concerned by the teaching methods that prevailed in the Koranic schools, where the emphasis was on learning by rote and the use of harsh punishment for disobedient students. The Government should tackle the problem as a matter of urgency.

54. Ms. KARP asked whether the Government was undertaking an awareness-raising campaign on the problem of child pornography, which seemed to be extremely widespread in Côte d'Ivoire, and whether paedophiles were liable to prosecution.

55. Ms. TIGERSTEDT-TAHTELA wondered whether the Government intended to base its social security system on the payment of contributions and whether the proposed system would involve participation by the whole of civil society, including employers, in funding the national policy on social insurance. She also wished to know whether, where tax was concerned, Côte d'Ivoire had any sources of income other than taxes on foreign trade.

The meeting was suspended at 4.45 p.m. and resumed at 5 p.m.

56. Ms. LAGOU (Côte d'Ivoire) said that the Government had launched a process of national reconciliation with the aim of reconstructing the country, which had been torn apart by war. To that end, ministers had travelled the length and breadth of the country and conducted consultations in every region in order to hear the opinions of civil society as a whole and sound out the views of the public, civil society, religious and traditional leaders and representatives of all political persuasions. A reconciliation forum would also be held in July 2001. She added that, although the elections had led to heightened tension and indeed physical confrontations in the north of the country, traditional and religious chiefs had taken immediate action to negotiate

with the political parties in order to calm the situation and avoid the region coming to a standstill. At no time during those events had any schools been closed.

57. With regard to detention conditions for children, she acknowledged that, owing to a shortage of resources, children were held in the same wings as adults, although separately. There was, of course, a real political will to separate children from adults and the Government would take the necessary measures as soon as it had the means to do so.

58. The practice of forced marriage was prohibited by law. The Committee against Violence towards Women and Children believed that forcing a young girl to get married was tantamount to violence against her and, when it learned of such cases, it would take them up. Schools also tried to intervene when they heard of parents' intention to force their daughter to get married. The girl would be advised to ring the help line set up to combat violence against women.

59. Koranic schools were more or less obligatory for Muslim children. The Ministry of National Education was considering how to harmonize the curricula of the two types of school without holding back children in secular schools. Young Muslims could thus have part of their schooling in a Koranic school and then re-enter the "official" system.

60. As for excision, she said that the problem was not restricted to Côte d'Ivoire - the whole subregion was widely affected. The Government was engaged in combating the problem by raising awareness by various means, including the Committee against Violence towards Women and Children.

61. With regard to trafficking in children, the question was not whether the forces of law and order should or should not receive training in that area, since they were confronted with the issue every day. Under agreements signed with Mali an inter-ministerial committee worked in conjunction with the forces of law and order to intercept children at the border and repatriate them to their countries of origin.

62. Mr. BEKE (Côte d'Ivoire), replying to Mr. Al-Sheddi's question about religious intolerance, said that, after many years of perfect harmony and tolerance among the country's various ethnic and religious groups, a huge rift had developed between the Muslim north and the Christian south. To try to bridge the gulf, which had been exacerbated by the elections, the Government had embarked on the process of national reconciliation referred to previously. Côte d'Ivoire was a secular state which observed both Muslim and Christian holidays. The Government funded pilgrimages to Mecca and had opened an embassy in Saudi Arabia.

63. Mr. KOUAKOU (Côte d'Ivoire) said that Côte d'Ivoire had signed the Convention relating to the Status of Refugees. The Government had established a committee to deal with the question, operating under the Ministry of the Interior, which cooperated very closely with the Office of the United Nations High Commissioner for Refugees. With regard to the situation of the 20,000 Liberian children who had been unable to return to their country of origin under the voluntary repatriation process, the Government had organized a workshop to harmonize the curricula of the two countries so as to avoid disrupting the children's education. The children had also been placed with foster families in the local communities. Côte d'Ivoire was proud to say that it had no refugee camps. International NGOs and other technical organizations worked

together to provide education for the children. The German agency for technical cooperation (GTZ) gave continued support in building new classrooms, in cooperation with UNICEF, and the World Food Programme helped with provisions for school meals. He noted that repatriation had to be freely consented to and that some children might choose to remain in Côte d'Ivoire. In such cases the Government aimed to integrate them while retaining respect for their nationality, their identity, their religion and their language. The Government thus believed that it had fulfilled the obligations arising from the international conventions to which it was party and had facilitated the full integration of young Liberians.

64. As for the survey which had indicated that a large number of children - 14.3 per cent - were engaged in an economic activity, he said that the survey had covered only one section of the population and had included all activities by children, including holiday jobs. Nonetheless, the Government was fully aware of the issue and intended to improve the procedures for combating child labour. In that context, an IPEC project was to be implemented in cooperation with the ILO in order to reduce the use of child labour and to prevent the trade in children, although Côte d'Ivoire had not yet signed ILO Conventions Nos. 138 and No. 182.

65. With regard to the administration of juvenile justice, he pointed out that there were seven children's judges attached to the country's higher courts, that all the country's judges were competent to try cases concerning children and that criminal procedure for juveniles had been in existence since the beginning of the 1960s. Owing to material, logistic and staffing difficulties, however, social workers were often unable to reach remote regions to organize the reintegration of children in trouble with the authorities.

66. It was true that Ivorian prisons were overcrowded: for example, Abidjan Prison, which had a capacity of 1,500, currently held 6,000 prisoners. The authorities were also fully aware of the need to move the Juvenile Observation Centre out of Abidjan Prison in order to separate child offenders from adults, but the means were lacking. Nonetheless, the young offenders' wing was physically separated, by a wall, from the adult wing and was equipped with workshops and a playing field. The presence of social workers in the complex of detention centres was also a positive element, making it easier to work with children in detention. Until very recently, the food provided for children in prison had not been very good, but, after intervention by the Minister for the Family, Women and Children, the situation had improved, largely through the activities of NGOs and religious organizatons.

67. With regard to action against drug trafficking, he noted that there were very strict laws, which the courts applied with the utmost severity. When children were used by traffickers or were themselves users, however, they were treated leniently by the Courts and provided with reintegration or drug addiction programmes, as appropriate, thanks largely to the support of some NGOs.

68. He emphasized that there was a law against any assault on a child's physical or psychological integrity and that corporal punishment was therefore banned in schools. Lastly, a study had been conducted, in both urban and rural areas, on the concept of a parental code; its findings would be tried out in the form of a private project in Abidjan.

69. Ms. BAROAN (Côte d'Ivoire) said that the legislature had done its utmost to reduce the procedural delays affecting the payment of maintenance. In that regard, she said that neglect of one's family constituted a criminal offence and that the threat of imprisonment hanging over parents who did not fulfil their obligations was generally sufficient to ensure payment of maintenance.

70. As for early marriage, which was necessarily illegal, since it could not be registered by a registrar if the age limits established by law were not observed, the problem lay in the fact that the victim had to make a complaint before the legal system could take action, victims were subjected to social and family pressures which were often too heavy to enable them to take such a step. Again, NGOs - which, indeed, had been behind the introduction of the legislation to make early marriage a legal offence - were most willing to help.

71. International adoption was governed by bilateral agreements. A judge verified that the conditions of the relevant agreement would be met in the receiving country and the adoptive parents were required to come to Côte d'Ivoire. A period also had to be left between the simple adoption and full adoption, so that the follow-up could be arranged in conjunction with the courts and social workers of the receiving country. Côte d'Ivoire also intended to ratify the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

72. With regard to child witnesses, she said that a hearing was given to children, with due account taken of their age. However, they were not allowed to testify in matrimonial or child custody cases, since it was generally considered that they could be subjected to pressure from their parents.

73. The fact that there were 60 ethnic groups in Côte d'Ivoire was not a problem, since they all spoke French. A child's ethnic origin was often not known and it made no difference to the extensive care provided.

74. With regard to sexual abuse in teaching establishments, any teacher suspected of sexual harassment was prosecuted, in accordance with the law, and was liable to heavy penalties, which could include being excluded from the profession. The police had also received training on sexual harassment, but they remained reluctant to intervene in cases where, for example, women complained of domestic violence. NGOs were also closely involved in that area and could even lodge complaints on behalf of the victim, provided they could obtain her consent.

75. Ms. ADJOBI (Côte d'Ivoire) said that Côte d'Ivoire was one of the countries in sub-Saharan Africa most affected by HIV/AIDS. It was estimated that 10 per cent of the population were infected, with the figures for pregnant women being 9.5 per cent and for children 9 per cent. A national AIDS programme had been set up in 1986 and relaunched in 1996. A large number of measures had been taken to help children under the programme and a think-tank was considering the question of mother-to-children transmission of the virus which was estimated to occur in 25 per cent of cases. The country also had 600,000 AIDS orphans. In some regions, action had been taken to help them and a plan had been drawn up to extend such activities to the whole country. In that connection, a new ministry had been established to

combat AIDS. Its mandate was to coordinate all activities on AIDS carried out under the auspices of other ministries, whether in relation to prevention or treatment of the disease. There remained organizational problems, however, despite the spectacular drop in treatment costs as a result of the recent agreement with the pharmaceutical companies.

76. As for vaccine-preventable diseases, the figures showed that the Government was on course to achieve its aim to eradicate poliomyelitis and neonatal tetanus, partly by holding national vaccination days. According to the available figures, there had been only one case of poliomyelitis in 2000, as against three in 1997, while cases of tetanus had fallen from 248 to 30 and measles from 9,732 to 5,729.

77. Ms. LAGOU (Côte d'Ivoire) stated that claims that children under six had had to work in the cocoa plantations were absolutely groundless. Anyone who knew the production cycle of the cocoa bean knew that it was impossible to use children in that sector.

78. The CHAIRPERSON said that the Committee had had an extremely useful dialogue with the Ivorian delegation, which had been frank and open about the extremely serious problems facing the country, particularly with regard to combating HIV/AIDS. It was clear that Côte d'Ivoire was attempting to put in place the best possible infrastructure and the Committee hoped that the international community would come to its aid, given the considerable efforts Côte d'Ivoire was putting in itself. Lastly, he hoped that the Ivorian delegation would encourage its Government to support the proposal to amend the Convention raising the number of experts on the Committee to 18.

79. Ms. LAGOU (Côte d'Ivoire) said that her country was fully prepared to meet all the concerns expressed, if it could, in doing so, obtain assistance in developing programmes and finding the necessary resources to put them into effect.

The meeting rose at 6.05 p.m.

UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.713
8 June 2001

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-seventh session

SUMMARY RECORD OF THE 713th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 1 June 2001, at 10 a.m.

Chairperson: Mr. DOEK

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of the United Republic of Tanzania

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GE.01-42530 (E) 080601

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of the United Republic of Tanzania (CRC/C/8/Add.14/Rev.1; CRC/Q/TAN/1; written replies of the Government of the United Republic of Tanzania to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of the United Republic of Tanzania took places at the Committee table.

2. Ms. MIGIRO (Tanzania) said that the United Republic of Tanzania had submitted its initial report to the Committee on the Rights of the Child in 1993, but that it had been returned with a request for improvements. The Government had resubmitted it in 1998, and had also submitted written replies to the questions in the list of issues. Tanzania had participated in the World Summit for Children in 1990 and had ratified the Convention on the Rights of the Child in 1991. That same year, it had held a national summit to chart a strategy for the realization of the goals of the Summit and of various provisions of the Convention. Well before its ratification of the Convention, however, Tanzania had instituted the Universal Primary Education Programme, which had made school enrolment compulsory at the age of 7, and had adopted a bill of rights, which protected human rights and therefore also children's rights.

3. Two ministries had been set up to oversee issues relating to children: the Ministry of Community Development, Women's Affairs and Children for mainland Tanzania, and a Ministry of State for Zanzibar. That ministry had subsequently been detached from the office of the President of Zanzibar, and dealt with employment, youth, women, and children's development. The reintroduction of political pluralism in 1993 had also favoured democracy and human rights.

4. The Government had subsequently instituted the Child Development Policy, which covered the rights protected by the Convention, the Education Sector Development Programme, which focused on access and equity in education, and the Complementary Basic Education Programme, to attend to primary school dropouts, most of whom were girls. It had also adopted a policy aimed at converting urban boarding schools to day schools, a measure which had not been applied, however, to girls' schools, as girls needed to study away from their traditional responsibilities in the home. In addition, the Government was considering the abolishment of primary school fees and payments.

5. Major reforms had been launched in the health sector, aimed at improving health resources and service delivery systems, which empowered communities to develop district health plans. Such programmes would tackle the five killer diseases of infants and children, through the new integrated management of childhood illnesses (IMCI) approach, which used vitamin A, proper feeding practices and immunization to combat illness.

6. The Government of Tanzania had also taken measures progressively to amend its laws to bring them into conformity with the Convention: The Sexual Offences Special Provisions Act of 1998 had provided for the amendment of provisions of the Penal Code, Criminal Procedure Act, Evidence Act and Children and Young Persons Act which touched on the rights, dignity and

integrity of women and children. Notable changes included a clearer definition of rape, the prohibition of female genital mutilation, a broader definition of acts or omissions constituting child abuse, sexual and otherwise, the requirement that cases involving children should be heard in camera and the quashing of the requirement that children's evidence must be corroborated.

7. The Government was also working on the report of the Law Reform Commission, which was reviewing laws related to custody, maintenance, inheritance and the need for harmonization of the definition of the child in Tanzanian legislation. It had established a Commission for Human Rights and Good Governance, which would handle all aspects of human rights, including children's rights. Non-governmental organizations (NGOs), community leaders and civic groups were assisting the Government in raising awareness in society about the HIV/AIDS pandemic.

8. The Government of Tanzania, which was committed to improving the standard of living of its people, had initiated Vision 2025, which was designed to guide development efforts in the economic and social spheres, and had developed a Poverty Reduction Strategy Programme (PRSP). Both those measures sought to ensure sustainable development and to guarantee the protection of rights.

9. Although such factors as the external debt and HIV/AIDS had hampered full implementation of the Convention, Tanzania was optimistic that, with the various reforms under way, the advent of good governance and the increased participation of its citizens, effective implementation would eventually be achieved. In that regard, it counted on the support of NGOs, development partners and the international community.

10. Ms. OUEDRAOGO observed that Tanzania had redrafted its initial report to bring it into conformity with the Committee's reporting guidelines, and for that purpose had participated in training sessions provided by the High Commissioner for Human Rights. Although no core document existed, the State party had endeavoured to provide a general picture of the historical, economic and social situation of that country, with emphasis on the factors that limited the implementation of the Convention. The statistics provided were insufficient, and failed to provide a full picture of the situation of Tanzanian children, especially children from the most vulnerable population groups. Although the report attempted to describe pertinent legislation, it failed to explain the relationship between the Convention, national legislation and customary laws. The strictures of the structural adjustment programme, the increasing poverty and the rising unemployment rate were all factors hindering the implementation of the Convention. Administrative problems, related to the quality of staff, also played a role.

11. She would like to know, firstly, how Tanzania managed its two-part governmental system, what was the system for the separation of powers and how it envisaged an integrated approach to the implementation of the Convention under that system. It would also be useful to know by what procedure the Convention had been ratified. The report lacked any systematic or comprehensive information on Zanzibar.

12. She commended the Government for the establishment of the Law Reform Commission to review the contradictions between the Convention and the national legislation, for its goal of formulating a children's code that would consolidate child-related legislation, which she hoped would soon come to fruition, and for the establishment of the Commission for Human Rights and

Good Governance. The Government had indicated that the Commission would handle the matter of human rights, which included children's rights; it would be preferable explicitly to stipulate the protection of children's rights in its mandate. She would like to know whether that body was independent, how it was staffed and budgeted and where its funding derived from. In addition, it would be helpful to know if it had a focal point for children, whether it could receive complaints from children, how it took into consideration the views of children and whether it had an ombudsman. She would also like to know to what body the Commission was answerable and by what procedures its recommendations and decisions were given effect.

13. In addition, it would be helpful to know whether the Convention could be invoked before the courts; if so, the State party should describe any illustrative cases. Since, as the report indicated, international legal instruments did not automatically become part of the domestic legislation, she would like to know by what procedure the provisions of the Convention could be incorporated into new legislation, in particular at the municipal level. The report contained no mention of Tanzanian customary law, which surely existed. Clarifications would be welcome. What were the differences between customary law and the Convention?

14. Mr. CITARELLA said he would welcome clarifications regarding the status of the Convention in the domestic legal system, in particular whether and to what extent it could be invoked in the courts and before other public institutions. In that regard, the State party should discuss any legislation that had been changed because it failed to conform to the Convention, and provide further information about the Bill of Rights.

15. Paragraph 67 of the report indicated that the portion of the budget allocated for education had fallen from between 11 and 13 per cent in the early 1980s to 2.5 per cent in 1995 and 1996. Was such data available for 1999 or 2000?

16. The definition of the child in Tanzanian legislation, which varied from law to law, was not in conformity with the Convention. The age of criminal responsibility, which might be as low as 7, and the age for voluntary military conscription, at 15, were both cause for serious concern. Even more troubling was the absence of legislation specifying that children should not be subject to life imprisonment or capital punishment.

17. Ms. CHUTIKUL said that, despite the various reviews of child-related legislation under way, few changes in Tanzanian law had actually occurred. She was concerned, in particular, about the minimum age for marriage, the minimum working age and inheritance legislation that discriminated against females. The State party should describe any efforts it had made to amend its laws. She would also like to know whether progress had been made in the establishment of a children's code, which would consolidate child-related legislation.

18. She wondered, as well, whether the new Commission for Human Rights and Good Governance was an independent body, how its independence was ensured, how its commissioners were chosen, whether its mandate specifically applied to questions related to children, and more particularly to the Convention, and whether it could effect changes in legislation to protect children's rights. In addition, she would like to know whether Tanzania was still considering the establishment of an ombudsman, and what relationship would obtain between the ombudsman and the Commission for Human Rights and Good Governance.

19. Ms. TIGERSTEDT-TÄHTELÄ, observing that the State party's priority was the payment of the national debt, which currently absorbed 40 per cent of the annual budget, inquired whether child policies were considered a priority and what portion of the budget was devoted to children. The budget of the Ministry of Community Development, Women's Affairs and Children was rather small. It would be helpful to know whether that Ministry was responsible for the implementation of the Convention, whether other Ministries were also involved and how the task was shared out among them.

20. Page 22 of the written replies contained a long list of measures undertaken to implement article 4 of the Convention; she would like to know whether those measures were carried out solely by the Ministry for Community Development, Women's Affairs and Children, whether it had a special budget for that purpose, whether other Ministries participated in carrying out those measures and whether those Ministries had budgetary allocations for that purpose. It would also be helpful to know whether those measures were merely envisaged, or already being carried out. She wondered, as well, whether international assistance had been received for those purposes, and whether NGOs had either provided assistance or received assistance from the Government for those purposes.

21. Ms. AL-THANI said that she welcomed the efforts made to review legislation, but she would like to learn whether the Ministry for Community Development, Women's Affairs and Children had been directly involved in developing the new laws. It was advisable to have people with specialist knowledge of the field involved in that process. She noted that the budget for the Ministry had more than doubled between the years 1998 and 2000. That was a welcome development, but how did it translate into real improvements? Could the delegation explain how the additional resources were being used, giving details of any new programmes that had been introduced?

22. Regarding early marriage, Islamic law did not prevent the Government from taking measures to impose a minimum age for marriage, even though conservative religious leaders sometimes claimed that to be the case. She would be interested to learn whether such resistance had been encountered from religious leaders in Tanzania.

23. Ms. KARP asked whether the Government had developed a comprehensive plan of action for implementation of the Convention. There seemed to be a range of new policies concerning women, education, child labour and youth development, but the Committee would be interested to see evidence of a more coordinated approach. Also, how did the Government's plans reflect the rights-based approach to children's development? Did programmes to tackle poverty incorporate specific measures to assist children?

24. Referring to the Government's efforts to develop a more reliable framework for data collection, she asked whether specific indicators to reflect aspects of implementation of the Convention would be used. For example, how did the authorities plan to integrate indicators on vulnerable groups into their data analysis system?

25. While she welcomed the efforts made to review and to harmonize national legislation, she would appreciate an explanation as to why the laws in Zanzibar appeared to be different to those in other parts of the country. For example, it was her understanding that in Zanzibar young

women could be prosecuted for becoming pregnant under the age of 21, but that elsewhere that was not the case. It was important that all children enjoyed the same rights throughout the territory of Tanzania.

26. Given that children as young as 15 were entitled to enrol in the armed forces, had the Government considered ratifying the Optional Protocol on the involvement of children in armed conflict? According to customary law, girls under the age of 12 could be married, provided the marriage was not consummated before they reached that age. However, as she understood it, there were plans to introduce national legislation to make 18 the minimum age for marriage. In view of the contradiction between national and customary law, how did the Government intend to ensure that legislation was implemented effectively, and did it plan to launch a public awareness campaign to attempt to change cultural attitudes?

27. Mr. CITARELLA said that there seemed to be four different sets of laws applicable in Tanzania, namely national legislation, specific legislation for the region of Zanzibar, Islamic law and customary law. Could the delegation explain how they were combined effectively so as to avoid discrimination between regions or population groups?

28. The CHAIRPERSON said that it would be useful to have more information on the Government's strategy for poverty reduction. He understood that there were plans to abolish school fees, but he failed to understand how the Government could afford to finance such a move. Could the delegation explain why compulsory education did not begin until children reached the age of seven? If it was possible to leave school at the age of 13, but impossible to begin work until 15, what provision was made for children aged between 13 and 15? Lastly, there appeared to be some confusion over the age of criminal responsibility. According to the Penal Code children did not have criminal capacity before reaching the age of 12, but they could be held criminally liable from the age of 7, provided they were adjudged to be capable of understanding their crime. He asked whether children could be sentenced before reaching the official age of criminal responsibility.

29. Ms. OUEDRAOGO requested further details of how the Government coordinated activities carried out in conjunction with NGOs.

The meeting was suspended at 11 a.m. and resumed at 11.20 a.m.

30. Ms. MIGIRO (Tanzania) said that her Government was aware of the problem of insufficient statistical information, and was attempting to reorganize data collection particularly to take into account the most vulnerable groups of society.

31. It was important to realize that customary law was codified in Tanzania, and only applied to matters of personal status, such as marriage and inheritance, rather than to criminal law. The Bill of Rights in the Constitution of Tanzania was intended to incorporate the principles of human rights instruments into the Constitution, which took precedence over customary law where inconsistencies arose. The Convention would not automatically take precedence over national law, at least until it was endorsed by Parliament. Nevertheless, judges could refer to it in courts of law, thus establishing case law in accordance with the Convention. A precedent had

been set in 1989, when a judge had referred to the Convention on the Elimination of All Forms of Discrimination against Women to rule in favour of a woman whose rights had been violated, despite the fact that there had been no breach of customary law.

32. She said that, as the Committee had acknowledged, the burden of servicing foreign debt restricted her Government's ability to tackle poverty effectively. The extent of poverty in the country often meant that human rights issues were of secondary importance to ensuring that the basic needs of the population were met, though that did not imply a lack of commitment from the Government to pursue human rights initiatives. She hoped that the Highly Indebted Poor Countries Initiative would soon have a positive impact on Tanzania's financial situation.

33. The 1964 agreement which had created Tanzania from the union of Tanganyika and Zanzibar had divided political matters into those that were dealt with at national level and those that continued to be the concern of the former parliaments of Tanganyika and Zanzibar. Children's affairs were still dealt with separately in the different parts of the country, which explained the discrepancies pointed out by Ms. Karp. Nevertheless, since international treaties were ratified by the Union Government, Zanzibar was bound to respect the Convention like the rest of Tanzania. In practice, the Zanzibar parliament also followed the lead of the Union Parliament in adopting legislation. A meeting would be held shortly of ministers and civil servants from different parts of the country to review implementation of women's and children's affairs at the Union level.

34. The Law Reform Commission had carried out a study in response to concerns raised by NGOs and civil society with a view to seeking ways to eliminate the contradictions present in national law. Its recommendations were currently under consideration by the Government. The Commission for Human Rights and Good Governance had been introduced as recently as April 2001, and had yet to begin work. The Minister of Justice had set up a Committee to look into the appointment of the Commissioners, and it was hoped that different departments would be set up within the Commission to enable children's rights, for instance, to be dealt with separately.

35. Her Government attached great importance to the dissemination of the Convention, and had begun by translating it into Kiswahili, the most common language used throughout the country. An NGO had also produced an easy-to-read version of the Convention to facilitate understanding. The main barrier to its dissemination was the shortage of financial resources. Police officers, doctors and other professionals working in the field of children's rights were also given training in relation to their responsibilities under the Convention.

36. She confirmed that the statistics given in paragraph 67 of the report concerning the budget for the education sector were officially correct, though some inaccuracies may have arisen when they had been collected. Nevertheless, spending on education had since risen to over 24 per cent of the total budget. That amount was divided between the various ministries involved in education, including the Ministry for Education and Culture, the Ministry for Regional Administration and Local Government and the Ministry for Higher Education.

37. She failed to understand why the age of seven had been referred to in the report under the section on criminal responsibility. The age of criminal capacity had been 12 prior to the

amendment of the Penal Code in 1998, when it had been lowered to 10. That remained in force throughout the territory, irrespective of Islamic or customary law. For children under the age of 12 to be held criminally responsible, a lawyer was required to prove that the child was capable of understanding the nature of the crime.

38. A boy under the age of 12 was presumed to be incapable of having sexual intercourse and could not be held responsible for sexual assault or rape unless that presumption was rebutted.

39. The information given in paragraph 100 of the report regarding the age for military service was somewhat misleading. National service was a way in which young people who had completed secondary or higher education reimbursed the cost of government sponsorship of their studies through service to the community for a period of nine months. It was known as compulsory enlistment. A second category was that of volunteers, aged 15 or over, who had completed primary education in school and enlisted for up to two years. They were taught useful skills and those who performed well obtained employment within the national service system. The Defence Forces proper belonged to a separate category, for which the minimum age of recruitment was 18.

40. She queried the statement in paragraph 110 of the report that Tanzanian law did not prohibit the death sentence and life imprisonment for children under 18. She was virtually certain that there was a provision to that effect in the Penal Code and would seek confirmation as soon as possible.

41. It was true that no steps had been taken to harmonize the minimum age in different categories of legislation. The Law Reform Commission had proposed a standard minimum age of 18 years and her Ministry would press for its recommendation to be adopted. The Sexual Offences Special Provisions Act of 1998 defined a boy as a male person under 18 and a girl as a female person under 18. The Penal Code stipulated that where a man had carnal knowledge of a girl under 18 who was not his wife, with or without the girl's consent, the act constituted rape. The Law of Marriage Act 1971, which consolidated Islamic and customary law, set the minimum age for marriage at 15 for girls and 18 for boys. The minimum age of 9 for girls mentioned in the Penal Code was not enforced but the authorities were aware that cases of child marriage still existed in practice. It was to be hoped that the problem would be solved when 18 years became the statutory age of majority. Action had been taken to raise awareness of the risks that early marriage entailed for the mental and physical health of girls. The Ministry of Justice had recently discussed a recommendation by the Law Reform Commission to raise the age of marriage to 21, inter alia to protect young women under 21 who had not yet completed their studies.

42. The Employment Ordinance authorized the employment of children from the age of 15, subject to certain conditions. For instance, they could not be employed in hazardous activities or activities that might adversely affect their health.

43. It was true that customary law and Islamic law on inheritance contained some discriminatory provisions. Under customary law, for example, girls and women could not inherit property in the form of land. The Law Reform Commission had recommended the enactment of legislation on inheritance which treated all members of the population equally, including

children born out of wedlock. Children in that category could inherit under existing legislation if they were named as beneficiaries in a will. Under customary law, the father could legitimize a child by sacrificing an animal as a symbol of acceptance. Property inherited by minors was placed in trust for them until they reached the age of majority. Some of the proposals for reform of the inheritance laws had met with resistance, especially from religious leaders of all denominations. They argued, for instance, that allowing children born out of wedlock to inherit property was tantamount to condoning adultery. Public awareness campaigns were being conducted to change such attitudes.

44. The possibility of developing a consolidated code of law concerning children had been considered. If the task proved too complex, it might be possible to establish principles of child welfare that would be applicable across the board.

45. The law establishing the Commission for Human Rights and Good Governance stipulated that it should be an independent body. The Government contributed to its budget but it was also empowered to accept funds from other sources. Sizeable contributions had already been made by donors.

46. There were no plans to date to appoint a children's ombudsman. However, separate sections of the Commission for Human Rights and Good Governance would probably perform functions similar to that of an ombudsman for women and children.

47. It was extremely difficult to assign priority in the budget to children's issues when 40 per cent of total revenue was absorbed by debt servicing. It was hoped that her country would qualify for debt relief under the HIPC scheme initiated by the international financial institutions. Once the burden was eased, funds could be diverted to the social sector. There were no disaggregated budget figures for children's issues. The budget of the Ministry of Community Development, Women's Affairs and Children was small in relation to the tasks that needed to be addressed, again largely because of the overall economic situation. However, now that a set of clear-cut policies had been developed, the Ministry was in a better position to push for their implementation. It was looking at ways of coordinating its action with other ministries, using resources more efficiently and relying on development partners to offset the inadequacy of the budget. The Ministry was also exploring aspects of the Convention that could be implemented without large-scale funding.

48. The Ministry of Community Development, Women's Affairs and Children was not responsible for all the projects listed in the written replies as measures to implement article 4 of the Convention but it played a coordinating role in many cases.

49. The United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and other organizations provided support for campaigns, for example in the context of the Day of the African Child, to promote awareness of issues such as female genital mutilation and to promote breastfeeding and immunization programmes.

50. No funding was provided to NGOs but their work was greatly appreciated and the Ministry of Community Development, Women's Affairs and Children was taking steps to coordinate action with the NGO community, thereby rationalizing the use of resources.

51. The Ministry had no separate budget line for legislation but it often submitted papers to the Cabinet, working closely with the Ministry of Justice and the Attorney-General, when bills relating to its areas of jurisdiction were drafted. The Law Reform Commission's proposals were submitted to the Ministry of Justice, which joined forces with the other ministries to initiate legislation.

52. The National Summit for Children held in 1991 had adopted resolutions based on the outcome of the World Summit for Children which focused on priority areas related to the Child Survival, Protection and Development programme. They did not, however, constitute a comprehensive programme.

53. The Government was looking into the possibility of adopting a child rights approach to the implementation of the Convention alongside its child welfare approach and would appreciate advice on how to do so.

54. Some elements of the Poverty Reduction Strategy Programme (PRSP) directly addressed the situation of children. For example, the PRSP had set specific targets for the improvement of children's health and education, including the reduction of the infant mortality rate and an increase in school attendance. In the Government's view, it was important for a country with so little resources to set priorities, and the use of such targets was for the immediate future preferable to a more holistic approach. The country did, however, need a long-term plan to address children's issues in a comprehensive manner.

55. Ms. OUEDRAOGO noting that gap between rich and poor had widened and that the number of destitute people was reportedly rising, asked to what extent the Government intended to ensure participation by the poor in the PRSP. How could the State party make use of resources freed up by a possible reduction of the debt? In the democratization process and in the reform of local government, what provision was made to ensure the participation of children? Were children represented in school boards and local district administrations? The report mentioned that a Children's Parliament had met in 1992, but offered no information on the way in which participants had been chosen or whether there had been any follow-up to that event, nor did it say whether the Children's Parliament had held any meetings since. Had the Government taken any steps to change traditional attitudes among conservative families so that the opinions of their children would be taken into consideration?

56. There was reportedly discrimination in society against women and children, children born out of wedlock and the disabled, and the latter were not even afforded specific legal protection against discrimination. What steps had the Government taken to improve the lot of such groups? Did society reject unmarried girls who became pregnant, or were they provided with assistance and support? Street children were discriminated against and persecuted. Had the Government tried to ascertain whether there were any reasons apart from poverty for the phenomenon of street children?

57. Given the poor economic situation and the traditional rejection of children born out of wedlock, what could the Government do to reduce infanticide and abandonment so as to ensure the right to survival of such children? The Government had referred to plans for campaigns to increase the number of children whose births were registered. Would that include measures to facilitate the registration process?

58. Ms. CHUTIKUL said she believed the national plan of action had been inspired by the goals of the World Summit for Children, and noted that the United Nations General Assembly would soon be holding a special session on children. As the aims of such international forums were in some ways limited, she asked whether country-specific objectives were included in the national plan of action as well.

59. While commending the Government's decision to do away with users' fees for schooling, she noted that the gross enrolment rate in primary education had declined from 98 per cent to 62 per cent in the past 20 years and that drop-out rates remained very high. The Government was concentrating its efforts on increasing primary school enrolment. Were any measures planned to assist the generation of children who in the intervening years had not attended school? The Committee was also concerned about the quality of education. Fewer than one-third of all children reportedly passed the final examination at the end of primary school. Classes were overcrowded and there were serious shortages of basic materials such as textbooks. What measures could the Government take to deal with the lack of resources? What steps had been taken to change the attitudes of teachers and parents towards corporal punishment, which was still allowed in schools and in the home?

60. Mr. AL-SHEDDI expressed concern that some parents and guardians believed, due to ignorance, that they had the right to torture or ill-treat their children. While it was not easy to eliminate such entrenched traditional views, an awareness campaign would not necessarily have to be very costly to be effective, and the Government could solicit international support for such a programme. Refugee children were deprived of certain rights owing to a lack of resources. Were any measures taken to assist that group?

61. Ms. AL-THANI, noting that female genital mutilation continued to be practised although it was illegal in Tanzania, asked what the Government had done to disseminate information among the public and practitioners about its harmful effects. While there was an ongoing debate as to whether mentally disabled children should attend regular schools, the integration of physically disabled children was clearly desirable. The written replies indicated that very few physically disabled children attended mainstream schools, and that a much larger number were in institutions. What kind of institutions catered for such children, and why were so few enrolled in mainstream schools? The report provided information only on teachers trained for special education of the visually impaired. Were there no teachers working with the mentally or physically disabled, or with autistic children?

62. Ms. KARP noted that resources were very scarce in Tanzania, where some classes reportedly had up to 120 students. It was especially important for such a poor country to adopt a comprehensive plan of action, which would help to spare resources and assist in the formulation and implementation of coherent policies. It would also make it possible to integrate services such as primary health care into the education system.

63. The Government's policy concerning reproductive health was perhaps ineffective because it relied too heavily on the legal prohibition of premarital sex. She knew of no country which had been able effectively to ban extramarital sexual relations. The fact that such relations were illegal might discourage people from seeking ways of protecting themselves from unwanted pregnancies, abortion, early marriage and illness. The lack of reproductive health education in schools could be another factor in the spread of a number of social problems, including AIDS.

64. The legislation recently adopted on sex offences penalized the rape of girls, but did not cover the rape of boys. How did the Government protect boys from rape? According to a recent study, one of the main groups responsible for the sexual harassment of children was teachers. Were there any mechanisms to encourage students to complain of such harassment? According to the report, corporal punishment was applied in the penal system. How was that consistent with article 37 of the Convention?

The meeting rose at 1.05 p.m.